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October 1, 2020

VIA ECF

The Honorable Ronnie Abrams
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street, Room
New York, New York 10007

Re: Building Service 32BJ Health Fund, Building Service 32BJ
Legal Services Fund, Building Service 32BJ Thomas
Shortman Training, Scholarship and Safety Fund, as
Plaintiffs, -v.- Discovery Services, Inc., Discovery Services
Association LLC, a/k/a Discovery Assoc. LLC, Defendants
Request for Adjournment of Initial Pre-Trial Conference
scheduled for 10-16-20
Case No. 1-20-cv-06599 (RA)

Dear Judge Abrams:

This firm represents the Building Service 32BJ Health Fund, Building Service 32BJ Legal Services Fund, Building Service 32BJ Thomas Shortman Training Scholarship and Safety Fund, the (“Plaintiffs”) in the above captioned case. The Defendants in this case are Discovery Services, Inc., and Discovery Services Association LLC, a/k/a Discovery Assoc. LLC, (“Defendants”). Plaintiffs believe the two Defendants are operated as one company by the Defendants. Plaintiffs brought this action pursuant to Sections 502(a)(3) and 515 of the Employee Retirement Income Security Act and Section 301 of the Labor-Management Relations Act of 1947 seeking statutory and contractual obligations to pay and/or submit monetary contributions and reports to the Funds.

Plaintiffs' respectfully request an adjournment of the initial court conference in this case currently scheduled for October 16, 2020. We request the adjournment for a few reasons. The Defendant, Discovery Services Association LLC a/k/a Discovery Assoc. LLC, was personally served with this lawsuit on August 28, 2020 in Maryland. The Defendant has not yet filed an Answer to the complaint, but the time to file the answer has not yet passed. Regarding the Defendant, Discovery Services, Inc., there was an issue with the service of the complaint on this Defendant. Plaintiffs are looking into this and taking the appropriate steps to correct the issue.

After the complaint was served on Defendant Discovery Services Association LLC a/k/a Discovery Assoc. LLC, the Defendant made two payments to Plaintiffs, for some of the principal contributions claimed in the Complaint.

I advised the Defendants in writing, that according to the rules of the Southern District of New York, as corporations, the Defendants must have an attorney represent them in this case. Plaintiffs also request the adjournment of the conference, since it would give the Plaintiffs and Defendant more time to speak, exchange information and attempt to settle the case. The total principal contribution amount due claimed in the complaint was \$12,564.69.

Please advise if the court will grant the Petitioners request for the adjournment. I reached out to the Defendants to ask if they would consent to this adjournment. I have not heard back from the Defendants. This is the Petitioners' first request for an adjournment. Thank you for the court's time and attention to this matter.

Respectfully submitted,



Maura Breen

cc: Discovery Services Inc.,
Discovery Services Association LLC,
a/k/a Discovery Assoc. LLC,

Application granted. The initial conference is hereby adjourned to November 13, 2020 at 3 PM.

The parties shall file the joint letter and proposed case management plan described in the Court's August 21, 2020 Order, Dkt. 5, no later than November 6, 2020.

SO ORDERED.



Hon. Ronnie Abrams
10/2/2020